

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WALKER & ZANGER INC.,

No. C04-1946 VRW (JCS)

Plaintiff(s),

**NOTICE OF REFERENCE AND ORDER
RE DISCOVERY PROCEDURES**

v.

PARAGON INDUSTRIES INC.,

(E-FILING CASES)

Defendant(s).

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter has been referred to the undersigned for all discovery matters.

IT IS HEREBY ORDERED THAT:

1. Within twenty (20) days, lead trial counsel for Plaintiff, and lead trial counsel for Defendant, shall meet and confer, **in person**, to conduct a Rule 26(f) conference to develop a proposed discovery plan.
2. A Rule 26(f) report shall be electronically filed with the Court by **July 15, 2005**.
3. A discovery conference is set for **Friday, July 22, 2005, at 9:30 a.m.**

LAW AND MOTION PROCEDURES

Civil law and motion is heard on Friday mornings, at 9:30 a.m., in Courtroom A, 15th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California 94102.

Motions to compel may be noticed without reserving a hearing date, subject to the Court's availability.

Discovery motions may be addressed to the Court in three ways:

1. A motion may be noticed on not less than 35 days' notice pursuant to Civil L. R. 7-2.
2. Alternatively, any party may seek an order shortening time under Civil L. R. 6-3 if the circumstances justify that relief.

1 3. In emergencies during discovery events, the Court is available pursuant to Civil L. R. 37-1(b).

2 In the event a **discovery dispute** arises, counsel for the party seeking discovery shall in good faith
3 confer *in person* with counsel for the party failing to make the discovery in an effort to resolve the dispute
4 without court action, as required by Fed. R. Civ. P. 37 and Civil L. R. 37-1(a). The meeting must be *in*
5 *person*, except where good cause is shown why a telephone meeting is adequate. A declaration setting forth
6 these meet and confer efforts, and the final positions of each party, shall be included in the moving papers. The
7 Court will not consider discovery motions unless the moving party has complied with Fed. R. Civ. P. 37 and
8 Civil L. R. 37-1(a).

9 A party or counsel has a continuing duty to supplement the initial disclosure when required under
10 Federal Rule of Civil Procedure 26(e)(1).

11 Law and motion matters may be submitted without argument upon stipulation of the parties and
12 notification of the Court no later than 4:30 p.m. the day before the hearing. Pursuant to Civil L. R. 7-7(e), filed
13 motions may be withdrawn without leave of the Court, within seven (7) days of the date for service of the
14 opposition. Thereafter, leave of the Court must be sought.

15 All filings of documents relating to motions referred to the undersigned shall list the civil case number
16 and the district court judge's initials followed by the designation "(JCS)".

17 **ELECTRONIC FILING AND COURTESY COPIES**

18 Please refer to Civil L. R. 5-4 and General Order No. 45 for the Northern District of California for
19 information relating to electronic filing procedures and requirements. All documents shall be filed in compliance
20 with the Civil Local Rules. Documents not filed in compliance with those rules will not be considered by the
21 Court.

22 BEFORE 5:00 P.M. ON THE NEXT BUSINESS DAY FOLLOWING THE ELECTRONIC
23 FILING, THE PARTIES ARE REQUIRED TO LODGE DIRECTLY WITH CHAMBERS ONE
24 CONFORMED, **PAPER** COPY OF EACH DOCUMENT, WHICH IS TO BE DESIGNATED "**JCS'S**
25 **CHAMBERS' COPY.**"

26 The failure of counsel or a party to abide by this Order may result in sanctions pursuant to Federal Rule
27 of Civil Procedure 16(f).

28 IT IS SO ORDERED.

United States District Court

For the Northern District of California

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Dated: June 16, 2005

/s/ Joseph C. Spero
JOSEPH C. SPERO
United States Magistrate Judge